

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Sharon A Randolph

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

RRR Bowie LLC dba Toyota of Bowie

(see attach)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**Complaint for Employment
Discrimination**

Case No. 22-CV-2150-TJS
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

FILED ENTERED
LOGGED RECEIVED

AUG 24 REC'D
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
FBI DEPOSIT BOX

USDC - GREENBELT MD
22 AUG 24 PM 5:56**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Sharon A Randolph
Street Address	2112 Garden Grove La
City and County	Bowie (PG)
State and Zip Code	MD 20721
Telephone Number	3015025746
E-mail Address	srandolph4u@aol.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	RRR Automotive Group dba Toyota of Bowie
Job or Title (if known)	Resident Agent: Steven M. Nemeroff
Street Address	4710 Bethesda Avenue
City and County	Bethesda (Montgomery)
State and Zip Code	MD 20814
Telephone Number	301. 986.5200
E-mail Address (if known)	

Defendant No. 2

Name	RRR Automotive LLC/College Park Honda-Richard Patterson
Job or Title (if known)	President/CEO
Street Address	9400 Baltimore Ave
City and County	College Park (PG)
State and Zip Code	MD 20740
Telephone Number	3014412900
E-mail Address (if known)	

Defendant No. 3

Name	RRR Automotive LLC/College Park Honda-David Gruner II
Job or Title (if known)	Manager/Production
Street Address	9400 Baltimore Ave
City and County	College Park (PG)
State and Zip Code	MD 20740
Telephone Number	3014412900
E-mail Address (if known)	

(If there are more than three defendants, attach an additional page providing the same information for each additional defendant.) (see attach)

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name	RRR Automotive LLC, dba Toyota of Bowie
Street Address	16700 Governor Bridge Road
City and County	Bowie (PG)
State and Zip Code	MD 20716
Telephone Number	3018671600

See Attach for add'l Defendant #4

Name: RRR Automotive LLC/ College Park Honda – Robyn Major

Job or Title: Controller (Former Human Resources Director @ Toyota of Bowie)

Street Address: 9400 Baltimore Avenue

City and County: College Park (PG)

State and Zip Code: MD 20740

Telephone Number: 301.441.2900

Email Address: robynmajor@rrrautos.com

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II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Other federal law (specify the federal law):
Equal Pay, Whistleblowing, Retaliation, Wrongful Discharge/Termination

- ☐ Relevant state law (specify, if known):

- ☐ Relevant city or county law (specify, if known):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

USDC - GREENBELT MD
22 AUG 24 PM 6:00**I. The Parties to This Complaint****A. The Plaintiff(s)**

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City and County	Bowie (PG)
State and Zip Code	MD 20721
Telephone Number	3015025746
E-mail Address	srandolph4u@aol.com

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Job or Title: Controller (Former Human Resources Director @ Toyota of Bowie)

Street Address: 9400 Baltimore Avenue

City and County: College Park (PG)

State and Zip Code: MD 20740

Telephone Number: 301.441.2900

Email Address: robynmajor@rrrautos.com

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A. The discriminatory conduct of which I complain in this action includes (*check all that apply*):

- ☒ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts (*specify*): Fraud & Equal Pay

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)
September 2019, October 2019, December 2019 - Firing on March 31, 2020

C. I believe that defendant(s) (*check one*):

- ☐ is/are still committing these acts against me.
- ☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (*check all that apply and explain*):

- ☒ race _____
- ☐ color _____
- ☒ gender/sex _____
- ☐ religion _____
- ☐ national origin _____
- ☐ age. My year of birth is _____. (*Give your year of birth only if you are asserting a claim of age discrimination.*)
- ☐ disability or perceived disability (*specify disability*)

- E. The facts of my case are as follows. Attach additional pages if needed.
see attach

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

November 4, 2020 against RRR Automotive LLC

- B. The Equal Employment Opportunity Commission (check one):

- ☐ has not issued a Notice of Right to Sue letter.
☒ issued a Notice of Right to Sue letter, which I received on (date)
May 26, 2022 (see attach)

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

- ☐ 60 days or more have elapsed.
☐ less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am asking the court/jury to consider seeking:

- back pay from date of firing to settlement date, min \$170,500
- Compensatory damages
- Emotional Damages covering suffering, injury to my reputation
- Reinstatement of health care benefits
- Punitive Damages for willful intent and egregious claims of fraud, sexual harassment, etc. *what court deems as punishment*

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8/24, 2022

Signature of Plaintiff

Sharon A Randolph

Printed Name of Plaintiff

Sharon A Randolph

(If more than one plaintiff is named in the complaint, attach an additional certification and signature page for each additional plaintiff.)

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

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Sharon A Randolph

2112 Garden Grove Lane,

Bowie, MD 20721

Plaintiff,

v.

Case Number:

RRR Bowie LLC dba Toyota of Bowie

16700 Governor Bridge Road

Bowie, MD 20716

Defendant

Pro Se Complaint

Plaintiff, Sharon A Randolph, ("Plaintiff" or "Miss Randolph"), by Pro Se, files this complaint against RRR Bowie, LLC dba Toyota of Bowie (hereinafter 'Toyota') and (Defendants") for unlawful and discriminatory employment actions on the basis of race (African American), sex (female), and retaliation against me (Sharon), in violation of Title VII of The Civil Rights Act of 1964, as amended 42 U.S.C. 2000e et seq., section 1981 (42 U.S.C. 1911, Maryland Fair Employment Practices Act, Whistleblowing Protection against Plaintiff for her statutorily – protected activity.

Whistleblowing, as it is commonly referred to can relate to any number of different unethical corporate activities, such as odometer/title fraud, warranty fraud, financial fraud, etc. Mismanagement, greed and financial skullduggery are activities that fall in a financial category of corporate misbehavior. Perhaps, as a society, we have come to tolerate a certain level of corporate shenanigans as part of everyday life: the 2008 financial crisis, Worldcom, Enron and LIBOR, just to name a few.

But there is a second category of corporate scandal that will forever leave a stain once uncovered and for which society can never tolerate any level of acceptance: the harming of innocent consumers for ill-gotten gains or profit. Odometer Fraud is the illegal act of changing or altering the mileage readings on a vehicle to make it appear to have a lower total mileage. In the United States, odometer fraud is a felonious offense. As a result, the customer, like Jazmine Lively, pays thousands of dollars more than the vehicle is

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actually worth. Ms. Jazmine Lively is my unsuspected customer, with altered system documents, recreated once in Toyota of Bowie finance office with ShaNena Page, where my name was removed, replaced with another rep that was complicit with fraud odometer change and as a reward, ½ of my commission was taken from me to further punish me. Lively's contract that included a manufacturing warranty with a perk for 90 days or 3000mile service or which comes first, but with falsely altered mileage, violated the warranty agreement and takes away a third of the promised warranty, which was altered after Lively called in to State Farm Insurance the accurate odometer in front of me. Once Lively left my desk, went to finance with Page, altered documents were falsely submitted by wire to Toyota Motor Credit financing. Management strongly encouraged Lively to use Toyota Motor Credit v using her preapproved PNC Bank funding. The mileage was altered from 33,430 on March 10, 2020 (sale date), and on the same day of purchase, inhouse finance and management staff changed finance paperwork to reflect altered mileage, removed my name behind closed doors on or about March 10, 2020 to show deceptive mileage of 34,438 miles. On March 15, 2020 (5 days later), I asked Lively to text me the current mileage on the new car and Lively kindly responded with a text the current mileage on March 15, 2020 of 33,535, which was closer to original purchase date mileage on March 10, 2020 of 33,430. (5 days later) Toyota and counsel has confirmed, that submitted documents to the EEOC were submitted to Toyota Motor Credit of the altered odometer of 34,438, but said to be accurate, but is FALSE and willing to stop at nothing in jeopardizing my reputation with customers and fraudulent activity, that affects consumers, financial institutions, warranty, insurance companies, values, my name. The management team David Gruner II, David Gruner III (son), Bobby Haag (hiring manager/trainer) turned a blind eye, ignored my reporting, and fired me for reporting issues.

Additionally, Plaintiff brings this case for her breach of contract to recover damages as a result of her unlawful and discriminatorily based termination from her (my) position as a New/Used car saleswoman representative at RRR Bowie LLC dba Toyota of Bowie in Bowie MD.

1. Plaintiff exhausted her administrative remedies by filing a charge against Defendants with the Equal Employment Opportunity Commission (EEOC) and Sharon Randolph received the *Right to Sue* Letter on May 26, 2022. Thus, the Plaintiff's complaint is timely. See exhibits A and B.

Jurisdiction and Venue

2. This Honorable Court has subject matter jurisdiction over this suit pursuant to 28 U.S.C. § 1331 as it asserts a claim that arises under the Constitution laws or treaties of the United States, specifically Title VII of the Civil Rights Act 1964, as amended, 42 U.S.C § 2000e, et seq., and section 1981, to redress and enjoin the employment practices of the Defendant.

3. Venue is proper in the United States District Court, District of Maryland, Southern Division in Greenbelt pursuant to 28 U.S.C. § 1391. Plaintiff resides in Maryland, and all the actions taken against me, led to this suit, arose from, and took place in Maryland where employed by Defendant.

Parties

Plaintiff:

4. Plaintiff, Sharon A Randolph, is a black, African American female and a resident of Prince Georges' County, at 2112 Garden Grove Lane, Bowie, MD 20721. Plaintiff was an employee of the Defendants of RRR Bowie LLC dba Toyota of Bowie in Bowie MD.

5. Plaintiff is an individual under 42 U.S.C. § 2000e, a person under 42 U.S.C §1981, Equal Pay Act 1963/Fair Labor Standards Act of 1938.

Defendants:

6. Defendants were all doing business in Maryland and specifically as a car dealership operating in Bowie, MD at 16700 Governor Bridge Road, Bowie MD 20716. Defendants were Ms. Randolph's employer at all relevant times.

7. Defendants are non-governmental entities under 42 U.S.C. § 1981 and are employers under 42 U.S.C. § 2000e.

Facts

8. Plaintiff Ms. Randolph, is a black African American female.

9. Ms. Randolph was discriminated against by Defendants and its' management on the basis of her race, age, sex and retaliated against, harassed and treated in an unwelcome and unlawful manner, that created a hostile work environment for her, which affected her (my) ability to do my work in earning a proper income. The undue stress was unbearable at times.

10. Ms. Randolph was unlawfully terminated under 42 U.S.C. § 2000 ex sec. 1981, Department of Labor's Whistleblowing Protection Laws/Retaliation.

11. Ms. Randolph was qualified and a competent sales representative and carried out her duties satisfactorily, while earning performance bonuses (\$600) and as recent as 11 days prior to abrupt firing, while selling 28 plus cars without the promised and required license ordered as promised by RRR Human Resources Dept., even though paperwork for licensing was filled out and hand off to Human Resources immediately upon hiring date, along with other onboarding paperwork on or around July 15, 2019.

Educational Background and Qualification

12. Ms. Sharon Randolph, has a High School diploma from Surry County High School in Surry, VA and two years of college from 1980 – 1982 with Virginia Commonwealth University.

13. Ms. Sharon Randolph has years of sales experience, including real estate, where I sold David Gruner II and his family a home in Davidsonville MD.

14. Ms. Randolph has achieved many awards and recognition for her sales abilities over the years, so when Robyn Major questioned my sales abilities to punish me for my complaint of harassment, I knew it was another unwarranted and intimidating tactic to push me as a female, out the door, as she confessed not even knowing sales. Again, I sold 28 plus cars without her (Major, previous HR Director) processing paperwork for an official sales license nor returning the delayed license more than 13 months after termination or before receiving PPP Loan of millions of SBA financial relief from the government. My qualifications should not be in question, since customers were more than pleased with the experience and my services, customers trusted my skillsets and knowledge that I would be transparent and honest with them, compounded with the balloons I personally furnished and added to customers' new car experience to add joy and appreciation, as a trained professional would do.

Sworn Statement

I declare, under penalty of perjury under the laws of the State of Maryland that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 8/24/2022

Signed Name/Title:

Sharon Randolph as Plaintiff

2112 Garden Grove Lane
Bowie, MD 20721